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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,692	06/15/2001	Anders Carlsson	48851.259800	1933

28694 7590 11/06/2002

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EXAMINER

COLETTA, LORI L

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicant No.

09/882,692

Examiner

Lori L. Coletta

Applicant(s)

CARLSSON ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by German reference 198 02 077.

Regarding claim 9, German reference '077 discloses a loading compartment in a floor of a vehicle comprising a recess in the floor of the vehicle; a storage space defined by the recess; a cover (1a) pivotally connected to the floor for covering the recess in a closed position and for allowing access to the storage space in an open position; and a load-receiving element matched to the shape of the recess, the load-receiving element detachably disposed in the recess and providing load-receiving surfaces for securing goods placed on the load-receiving element.

Regarding claim 10, German reference '077 discloses the loading compartment wherein the load-receiving element is shaped as a casing, with the load-receiving surfaces having a bottom surface and side surfaces.

3. Claim 19 is rejected under 35 U.S.C. 102(a) as being anticipated by Spykerman et al. 6,375,055.

Regarding claim 19, Spykerman et al. '055 discloses a loading compartment (10) in a floor (18) of a vehicle (14) comprising a recess (16) in the floor of the vehicle; a cover (22) mounted in the floor for covering the recess in a closed position and for allowing access to a storage space defined by the recess in an open position; and at least one supporting member (32) attachable to the cover for securing goods placed in the storage area.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 17, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spykerman et al. 6,375,055 in view of Spykerman et al. 6,253,943.

Regarding claim 1, Spykerman et al. '055 discloses a loading compartment (10) in a floor (18) of a vehicle (14) comprising a recess (16) in the floor of the vehicle; a cover (22) mounted in the floor for covering the recess in a closed position and for allowing access to a storage space defined by the recess in an open position.

However, Spykerman et al. '055 does not show at least one support member pivotally mounted to the cover for securing goods placed in the storage space.

Spykerman et al. '943 teaches a cover (310) mounted to the floor for covering the recess in a closed position and for allowing access to a storage define by the recess in an open position; and at least one supporting member (340 and 350) pivotally mounted to the cover for securing goods placed in the storage space.

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Regarding claim 1, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055 with at least one support member pivotally mounted to the cover, as taught by Spykerman et al. '943, in order to secure goods placed in the storage space.

Regarding claim 2, Spykerman et al. '055, as modified, discloses the loading compartment wherein the at least one supporting member further comprises supporting flaps attached to the cover.

Regarding claims 3 and 18, Spykerman et al. '055, as modified, discloses the loading compartment wherein the supporting flaps are spring-tensioned and fold in and bear against the cover when the cover is in the closed position and fold out at about right angles to the cover when the cover is in the open position.

Regarding claim 17, Spykerman et al. '055 discloses a loading compartment (10) in a floor (18) of a vehicle (14) comprising a recess (16) in the floor of the vehicle; a cover (22) mounted in the floor for covering the recess in a closed position and for allowing access to a storage space defined by the recess in an open position.

However, Spykerman et al. '055 does not show at least one support member pivotally mounted to the cover for securing goods placed in the storage space.

Spykerman et al. '943 teaches a cover (310) mounted to the floor for covering the recess in a closed position and for allowing access to a storage define by the recess in an open position; and at least one supporting member (340 and 350) pivotally mounted to the cover for securing goods placed in the storage space, the at least one supporting member having supporting flaps attached to the cover.

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Regarding claim 17, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055 with as least one support member pivotally mounted to the cover and having supporting flaps attached to the cover, as taught by Spykerman et al. '943, in order to secure goods placed in the storage space.

6. Claims 4-6, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spykerman et al. 6,375,055 as applied to claims 1 and 22 above, and further in view of Canadian reference 2,137,634.

Regarding claims 4-6, 25 and 26, Spykerman '055, as modified, discloses the loading compartment wherein the cover is attached to a front edge of the recess in relation to the vehicle.

However, Spykerman '055 but does not show at least one belt attached between the cover and the floor, wherein the belt and the cover secure goods placed in the storage area; a second supporting member having fastening members attachable to the cover for suspension of goods and an elastic cord disposed in the loading compartment, wherein the elastic cord is fastened to the fastening members thereby securing goods in the storage space.

Canadian reference '634 teaches at least one belt (34) attached between the cover (18) and the floor (14), wherein the belt and the cover secure goods placed in the storage area a second supporting member (52) having fastening members (42) attachable to the cover and an elastic cord (28) disposed in the loading compartment, wherein the elastic cord is fastened to the fastening members thereby securing goods in the storage space Figure 6.

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Regarding claims 4-6, 25 and 26, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055, as modified, with at least one belt attached between the cover and the floor and a second supporting member having fastening members attachable to the cover and an elastic cord disposed in the loading compartment, wherein the elastic cord is fastened to the fastening members, as taught by Canadian reference '634, in order to secure goods placed in the storage space.

7. Claims 7, 8 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spykerman et al. 6,375,055 as applied to claim 1 above, and further in view of German reference 198 02 077.

Regarding claims 7 and 8, Spykerman et al. '055, as modified, discloses the loading compartment but does not show a load-receiving element comprising load-receiving surfaces detachably disposed in the recess and is shaped comprising a bottom surface and side surfaces.

German reference '077 teaches a load-receiving element comprising load-receiving surfaces detachably disposed in the recess and is shaped comprising a bottom surface and side surfaces.

Regarding claims 7 and 8, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055, as modified, with a load-receiving element comprising load-receiving surfaces detachably disposed in the recess and is shaped comprising a bottom surface and side surfaces, as taught by German reference '077, in order to secure goods placed in the storage space.

Regarding claims 20 and 21, Spykerman et al. '055 discloses a loading compartment in a floor of a vehicle comprising a recess in the floor of the vehicle; a cover mounted in the floor for covering the recess in a closed position and for allowing access to a storage space defined by the recess in an open position; at least one supporting member attachable to the cover for securing goods placed in the storage space.

However, Spykerman et al. '055 does not show a load-receiving element having load-receiving surfaces detachably disposed in the recess and is shaped comprising a bottom surface and side surfaces,

German reference '077 teaches a load-receiving element comprising load-receiving surfaces detachably disposed in the recess and is shaped comprising a bottom surface and side surfaces.

Regarding claims 20 and 21, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055, with a load-receiving element comprising load-receiving surfaces detachably disposed in the recess and is shaped comprising a bottom surface and a side surfaces, as taught by German reference '077, in order to secure goods placed in the storage space.

Regarding claim 22, Spykerman et al. '055 discloses a loading compartment in a floor of a vehicle comprising a recess in the floor of the vehicle; a storage space defined by the recess; a cover pivotally connected to the floor for covering the recess in a closed position and for allowing access to the storage space in an open position; at least one supporting member attachable to the cover for securing goods place in the storage space.



However, Spykerman et al. '055 does not show a load-receiving element matched to the shape of the recess, the load-receiving element detachably disposed in the recess and providing load-receiving surfaces for securing goods placed on the load-receiving element.

German reference '077 teaches a load-receiving element comprising load-receiving element matched to the shape of the recess, the load-receiving element detachably disposed in the recess and providing load-receiving surfaces for securing goods placed on the load-receiving element.

Regarding claim 22, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055, with a load-receiving element comprising load-receiving element matched to the shape of the recess, the load-receiving element detachably disposed in the recess and providing load-receiving surfaces for securing goods placed on the load-receiving element, as taught by German reference '077, in order to secure goods placed in the storage space.

8. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over German reference 198 02 077 in view of Spykerman et al.'943.

Regarding claims 11-13, German reference '077 discloses the loading compartment.

However, German reference '077 does not show at least one supporting member attached to the cover for securing goods placed on the load-receiving element (claim 11); wherein the at least one supporting member comprises a first supporting member further comprising supporting flaps pivotally mounted on the cover (claim 12); and wherein the supporting flaps are spring-tensioned and fold in and bear against the cover when the cover is in a closed position and fold out and extend at about right angles to the cover when the cover is in an open position (claim 13)

Spykerman et al. '943 teaches at least one supporting member (340 and 350) attached to the cover (310) for securing goods placed on the load-receiving element (claim 11); wherein the at least one supporting member comprises a first supporting member further comprising supporting flaps pivotally mounted on the cover (claim 12); and wherein the supporting flaps are spring-tensioned and fold in and bear against the cover when the cover is in a closed position and fold out and extend at about right angles to the cover when the cover is in an open position (claim 13) in Figure 16.

9. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over German reference 198 02 077 as applied to claim 9 above, and further in view of Canadian reference 2,137,634.

Regarding claims 14-16, German reference '077 discloses the loading compartment wherein the cover is pivotally connected to a front edge of the recess in a relation to the vehicle.

However, German reference '077 does not show at least one load-receiving belt is attached between the cover and the floor for securing goods in the recess and a second supporting member having fastening members attachable to the cover for suspension of goods and an elastic cord disposed in the loading compartment, wherein the elastic cord is fastened to the fastening members thereby securing goods in the storage space.

Canadian reference '634 teaches at least one load-receiving belt is attached between the cover and the floor for securing goods in the recess and a second supporting member (52) having fastening members (42) attachable to the cover and an elastic cord (28) disposed in the loading compartment, wherein the elastic cord is fastened to the fastening members thereby securing goods in the storage space Figure 6.

Regarding claims 14-16, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055, as modified, with at least one load-receiving belt is attached between the cover and the floor for securing goods in the recess and a second supporting member having fastening members attachable to the cover and an elastic cord disposed in the loading compartment, wherein the elastic cord is fastened to the fastening members, as taught by Canadian reference '634, in order to secure goods placed in the storage space.

10. Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spykerman et al. 6,375,055 as applied to claim 22 above, and further in view of Spykerman et al. 6,253,943.

Regarding claims 22 and 24, Spykerman et al. '055, as modified, discloses the loading compartment but does not show wherein the at least one supporting member further comprises a first supporting member having supporting flaps pivotally mounted on the cover and wherein the supporting flaps are spring-tensioned and able to fold in and bear against the cover when the cover is in a closed position, and able to fold out and extend at about right angles to the cover when the cover is in an open position.

Spykerman et al. '943 teaches at least one supporting member further comprises a first supporting member having supporting flaps pivotally mounted on the cover and wherein the supporting flaps are spring-tensioned and able to fold in and bear against the cover when the cover is in a closed position, and able to fold out and extend at about right angles to the cover when the cover is in an open position.

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Regarding claims 23 and 24, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055 with at least one supporting member further comprises a first supporting member having supporting flaps pivotally mounted on the cover and wherein the supporting flaps are spring-tensioned and able to fold in and bear against the cover when the cover is in a closed position, and able to fold out and extend at about right angles to the cover when the cover is in an open position, as taught by Spykerman et al. '943, in order to secure goods placed in the storage space.

11. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spykerman et al. 6,375,005 in view of German reference 198 02 077 and Canadian reference 2,137,634.

Regarding claim 27, Spykerman et al. '055 discloses a loading compartment in a floor of a vehicle comprising a recess in the floor of the vehicle; a storage space defined by the recess; a cover pivotally connected to the floor for covering the recess in a closed position and for allowing access to the storage space in an open position and wherein the cover is pivotally connected to a front edge of the recess in relation to the vehicle.

However, Spykerman et al. '055 does not show a load-receiving element matched to the shape of the recess, the load-receiving element detachably disposed in the recess and providing load-receiving surfaces for securing goods placed on the load-receiving element, and at least one load-receiving belt is attached between the cover and the floor for securing goods in the recess.

German reference '077 teaches show a load-receiving element matched to the shape of the recess, the load-receiving element detachably disposed in the recess and providing load-receiving surfaces for securing goods placed on the load-receiving element.

Canadian reference '634 teaches at least one load-receiving belt is attached between the cover and the floor for securing goods in the recess.

Regarding claim 27, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make loading compartment of Spykerman et al. '055 with show a load-receiving element matched to the shape of the recess, the load-receiving element detachably disposed in the recess and providing load-receiving surfaces, as taught by German reference '077, in order to secure goods.

Regarding claim 27, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make loading compartment of Spykerman et al. '055, as modified, at least one load-receiving belt is attached between the cover and the floor for securing goods in the recess, as taught by Canadian reference '634, in order to secure goods.

12. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spykerman et al. 6,375,055 in view of Treppedi et al. 2002/0095947.

Regarding claim 28, Spykerman et al. '055 discloses a loading compartment in a floor of a vehicle comprising a recess in the floor of the vehicle; a cover mounted in the floor for covering the recess in a closed position and for allowing access to a storage space defined by the recess in an open position; and at least one supporting member attached to the cover for securing goods placed in the storage space.

However, Spykerman et al. '055 does not show the cover further comprising an elastic member having two ends, wherein both ends are attached to the cover.

Treppedi et al. '947 teach a cover comprising an elastic member having two ends, wherein both ends are attached to the cover.

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Regarding claim 28, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055 with the cover further comprising an elastic member having two ends, wherein both ends are attached to the cover, as taught by Spykerman et al. '943, in order to secure goods in the storage space.

13. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spykerman et al. 6,375,055 in view of Spykerman et al. 6,253,943.

Regarding claims 29 and 30, Spykerman et al. '055 discloses a loading compartment in a floor of a vehicle comprising a recess in the floor of the vehicle; a cover mounted in the floor for covering the recess in a closed position and for allowing access to a storage space defined by the recess in an open position, cover further comprising a net attached to the cover and in which goods can be placed and an elastic band for spring-loading the net.

However, Spykerman et al. '055 does not and at least one supporting member attached to the cover for securing goods in the storage space.

Spykerman et al. '943 teach at least one supporting member attached to the cover for securing goods in the storage space.

Regarding claim 29, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the loading compartment of Spykerman et al. '055 with and at least one supporting member attached to the cover, as taught by Spykerman et al. '943, in order to secure goods in the storage space.

#### ***Response to Arguments***

14. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614.

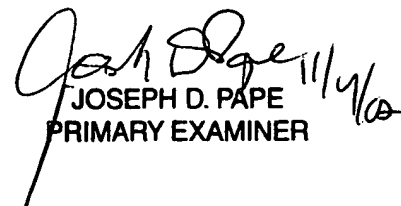
The examiner can normally be reached on Monday-Friday 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3597 for regular communications and (703) 305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1134.

Lori L. Coletta  
Examiner  
Art Unit 3612

llc  
llc  
October 31, 2002

  
JOSEPH D. PAPE  
PRIMARY EXAMINER